

NO. JP102242021A  
 TRN 925 359 3962 A001  
 LEA NO. BCSO 202100930

THE STATE OF TEXAS § IN THE JUSTICE OF THE PEACE  
 VS. § PRECINCT 1 COURT OF  
 JOSE FRANCISCO DIAZ § BASTROP COUNTY, TEXAS

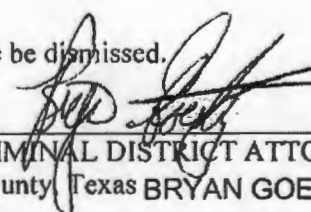
**MOTION TO DISMISS**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW Comes the State of Texas by and through his/her Attorney, and respectfully requests the Court to dismiss the above entitled and numbered criminal action in which the defendant is charged with the offense of POM > 50LBS <= 2000LBS F2 2.24.21; for the following reason:

- |  | Offense  | Degree | Date of Offense |
|--|--|--------|-----------------|
| 1. _____                               | The evidence is insufficient;  |        |                 |
| 2. _____                               | Evidence issues  |        |                 |
| 3. _____                               | The case has been refiled;   |        |                 |
| 4. <input checked="" type="checkbox"/> | The defendant was convicted in another case; <u>in FEDERAL CUSTODY ON FEDERAL CHARGES.</u>   |        |                 |
| 5. _____                               | The complaining witness has requested dismissal;   |        |                 |
| 6. _____                               | The defendant has not been apprehended and/or is not within the jurisdiction of this Court;  |        |                 |
| 7. _____                               | The defendant is deceased;   |        |                 |
| 8. _____                               | The defendant is incarcerated for other offense(s)   |        |                 |
| 9. _____                               | Defendant has successfully completed deferred prosecution in that all terms and conditions of the agreement have been complied with. |        |                 |
| 10. _____                              | It appears that the best interest of justice will be served; _____   |        |                 |
| 11. _____                              | The State has Declined to Prosecute the case.  |        |                 |

WHEREFORE, it is prayed that the above entitled and numbered cause be dismissed.

  
 CRIMINAL DISTRICT ATTORNEY  
 Bastrop County, Texas BRYAN GOERTZ

**ORDER**

The foregoing motion having been presented to me on this the 28th day of October, A. D. 2021, and the same having been considered, it is therefore, ORDERED, ADJUDGED and DECREED that said above entitled and numbered cause be and the same is hereby dismissed. The Defendant is discharged, and the Clerk is ordered to recall any warrant, capias outstanding.



  
 JUDGE PRESIDING